

Notice of Allowability

Application No.

09/988,105

Examiner

Kishor Mayekar

Applicant(s)

KATO ET AL.

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 21 May 2004 and the interview of 19 August 2004.
2. ☒ The allowed claim(s) is/are 1,2,4-25,28 and 29.
3. ☒ The drawings filed on 19 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of invention of Group IIB in the reply filed on 21 May 2004 is acknowledged with the traversal on the non-elected invention of Group I, claims 1-25. The traversal is on the ground(s) that of the co-extensive search on the two groups the groups should be examined together. This is found persuasive and the two groups are rejoined.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Jason Okun on 19 August 2004.

The application has been amended as follows:

In the Abstract:

Combining the two separate paragraphs of the abstract into a single paragraph.

In the Claims:

Claim 2, line 1, replace "(Withdrawn)" with --(Original)--.

Cancel claim 3.

Claim 4, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 5, line 1, replace "(Withdrawn)" with --(Original)-- and replace "claim 4" to -
claim 2--.

Claim 6, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 7, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 8, line 1, replace "(Withdrawn)" with --(Original)--; and
line 2, replace "the positive" to --a positive--.

Claim 9, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 10, line 1, replace "(Withdrawn)" with --(Original)--.

line 2, replace "the positive" to --a positive--; and

line 3, replace "the negative" to --a negative--.

Claim 11, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 12, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 13, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 14, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 15, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 16, line 1, delete "for";

line 2, replace ", a pH" with --has a pH--;

line 3, change "the" --an--;

line 4, delete "is" and change "the" to --a--; and

line 5, delete "is".

Claim 17, line 1, delete "for";

line 2, replace ", a pH is" with --has a pH--;

line 3, change "the" --an--;

line 4, delete "is" and change "the" to --a--; and

line 5, delete "is".

Claim 18, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 19, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 20, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 21, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 22, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 24, line 1, replace "(Withdrawn)" with --(Original)--.

Claim 25, line 1, replace "(Withdrawn)" with --(Original)--.

Cancel non-elected claims 26, 27, 30 and 31 without prejudices.

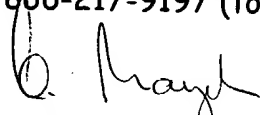
3. The following is an examiner's statement of reasons for allowance: Because the prior art references do not disclose in a method of decomposing a substance the recited specific order of steps and the decomposing target substances and the decomposition promoting substance are contacted with each other while they are in a gas phase under irradiation with light to decompose the decomposition target substance as claimed in claims 1, 2, 4-25, 28 and 29.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kishor Mayekar whose telephone number is (571) 272-1339. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kishor Mayekar
Primary Examiner
Art Unit 1753